

#16255045
ID
88027104

HO
221
445
1983
C.2

GLOSSARY OF PUBLIC LAND TERMS



Phoenix Training Center

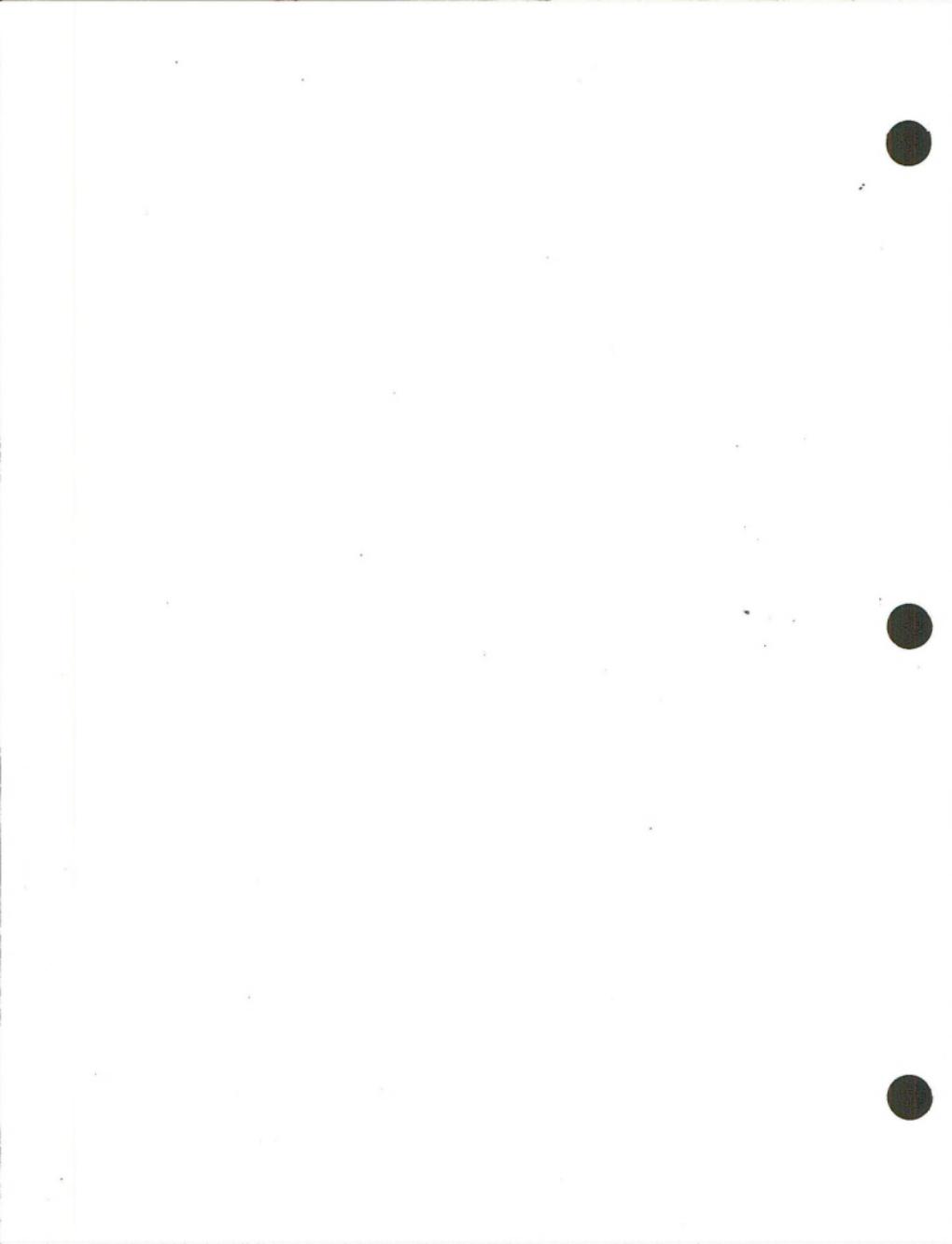
Bureau of Land Management

U.S. Department of the Interior

January, 1983

HO
221
445
1983
C.2

ELM Library
D-553A, Building 50
Denver Federal Center
P. O. Box 25047
Denver, CO 80225-0047



HD
221
445
1983
C.2

A

abandoned military reservation: a military reservation which may be transferred to the Secretary for disposal.

accepted survey: a survey for which the plat has been accepted for the Director by the officer having Cadastral Survey approval authority.

access transportation and rights-of-way (ATROW). The Bureau's program for acquisition and right-of-way granting.

accretion: the gradual and imperceptible accumulation of land, by natural causes, along the banks of a stream or lake.

acquired land: lands in Federal ownership which were obtained by the Government through purchase, condemnation, gift, or by exchange.

additional homestead entry: an addition to lands already acquired under the homestead laws.

adjoining farm homestead entry: an entry on lands adjacent to those already owned by the entryman, such owned land's having been bought or acquired by a manner other than homestead entry.

adjudicate: the legal processing of applications, entries, claims, etc., to assure full compliance with the public land laws and the regulations. To judicially determine, judge, or decree. To sit in judgement.

adjusted railroad grant: a railroad grant that was completely and totally adjudicated and satisfied prior to the Transportation Act of 1940.

administrative site: lands used as a headquarters or administrative facility by a Federal agency.

advertising displays: any sign or other devices erected or maintained for outdoor advertising or for outdoor public information purposes, except signs erected and maintained by Federal, State, or local highway authorities within highway rights-of-way.

Advisory Council on Historic Preservation: a council established by the National Historic Preservation Act of 1966 consisting of the Secretaries of the Interior, Housing and Urban Development, Commerce, Administration (CSA), and the Attorney General, or their designated representatives, the Chairman of the National Trust for Historic Preservation, and 10 members appointed by the President, either for their concern or their involvement in relevant State and local government.

ELM Library
D-553A, Building 60
Denver Federal Center
P. O. Box 25047
Denver, CO 80205-0047

The council is authorized under the National Historic Preservation Act and Executive Order (E.O.) 11593 to advise Congress and the President on historic preservation matters, provide guidelines for assisting States in drafting legislation, recommend studies of statutes regarding historic preservation, encourage and direct private participation and training in historic preservation, and comment on any Federal agency actions that may have an effect on National Register or National Register eligible cultural resources. (See also 36 CFR 8000.1.)

agricultural college scrip: scrip issued to certain States so the States could sell same and apply the proceeds to the support of agricultural and mechanical colleges.

agricultural land: land primarily used for or suitable to croplands, orchards, groves, vineyards, and horticulture (plant nurseries, etc.).

air navigation site: a reservation of public lands for air navigation purposes pursuant to the Act of May 24, 1928 (45 Stat. 728) (Repealed).

airport lease: a lease authorizing the use of public lands for airport or aviation purposes.

allotment (Indian or Native): an allocation to a Native of land of which he had made substantially continuous use and occupancy for a period of 5 years and which shall be deemed the "homestead" of the allottee and his heirs in perpetuity, and shall be inalienable and nontaxable except as otherwise provided by the Congress.

allowed application: an application to acquire title to public lands, which has been accepted and approved.

ANCSA: Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601), and any amendments.

animal-unit: one mature cow, or its equivalent (approximately five sheep, two burros, one horse, etc.), based upon average daily forage consumption.

animal-unit-month: the amount of forage necessary for the sustenance of one animal-unit for a 1-month period.

antiquities: those prehistoric and historic artifacts, objects, structures, ruins, sites, and monuments of cultural or scientific significance generally considered to be more than 100 years old. Those paleontological specimens and sites containing data of scientific importance.

applicant: the individual or legal entity applying for use of, rights in, or title to public lands or resources.

application: an acceptable formal request for rights in use of, or eventual title to, public lands or resources.

appraised value and appraised price: synonymous with fair market value.

The amount of money specified as the minimum acceptable bid in the public notice ordering lands into the market. The determination of appraised value or appraised price is made by experienced, adequately trained appraisers within the BLM staffs or by contract using standard appraisal practices.

appropriation or appropriated: public lands covered by an entry, settlement, claim, location, withdrawal or reservation that sets the land apart for some particular use or disposal.

approved survey: the approved field notes and plat of a cadastral survey.

archaeological resources: all physical evidence of past human occupation, other than historical documents, which can be used to reconstruct environmental data, and all other relevant information.

areas of critical environmental concern (ACEC): (see 103 FLPMA) areas within the public lands where special management attention is required to protect and prevent irreparable damage to important resources.

artifact: any object made, modified, or used by man.

assessment work: work required to be performed annually by the claimant, in order for him to maintain a possessory right (as against the United States in Alaska and as against third parties in the continental United States) to a mining claim for which a patent has not issued.

assignee: a recipient or grantee. One to whom an interest is given or transferred, usually in writing.

assignment: a transfer or a making over to another of a whole or a part of property, either real or personal, or the giving to another of a right.

assignor: a person who assigns a right.

avulsion: a rapid and usually permanent change in a stream channel. Such movements do not create changes in property boundaries except where State interests in lands arising from the Submerged Lands Act (a State's title to lands beneath navigable waters) are concerned.

B

base lands: in an exchange, the lands owned by the proponent; in a lieu selection, the lands to which the applicant relinquishes or has relinquished rights, or has lost rights through no fault of his/her own.

base line: in cadastral survey, a line which runs in an east-west direction from an initial point.

bid: a written or oral offer to purchase or lease.

cadastral survey: a survey which creates, makes, defines, retraces, or reestablishes boundaries and subdivisions of the public land of the United States.

cadastral surveyor: one who executes cadastral surveys.

cardinal directions: true north, south, east, or west.

Carey Act: a series of acts popularly known as the "Carey Act" which enables the Government to grant potential agricultural lands to eligible States which may in turn make grants to entrymen who irrigate and reclaim said lands. (See 43 U.S.C. 641)

cash entry: lands for which the entryman paid cash or its equivalent.

ceded Indian lands: Indian lands which were relinquished to the United States by an Indian tribe.

cemetery-site entry: a cash entry for lands to be used for cemetery purposes. (Repealed by FLPMA)

certificate of ownership: a certificate from the proper State or county officials showing that title to lands is vested in the State or county and that the officer or agency is empowered by law to lease them.

circular: a Bureau publication that contains regulations and instructions.

claimant: an individual or other entity asserting title to or rights in public lands.

classification: the authority of the Secretary to examine land to see whether it is proper for entry, selection, or location.

classification of lands: the process of determining whether the lands are more valuable or suitable for transfer or use under particular or various public land laws than for retention in Federal ownership for management purposes.

clearlist: the approved title document with certification that conveys title to public land selected as indemnity for school lands lost by natural deficiency or prior appropriation.

closure of livestock: the removal of all livestock from an area of the public lands for a given period of time.

color-of-title: a claim based on an erroneous but good faith claim of title.

communication site: an area of public land granted to an applicant under authority contained in the Act of October 21, 1976 (43 U.S.C. 1761) and the regulations, to be used for a communication structure or facility.

community: a village, town, or city, or similar subdivision of a State, whether or not incorporated.

commuted homestead entry: a homestead where the entryman was allowed to pay cash rather than meet all the residence and other requirements.

competitive lease, oil or gas: an oil or gas mineral lease, covering public lands within a known producing oil or gas field, which is issued to the successful bidder at public auction or through sealed bids.

compliance check: process by which it is determined that a permittee, grantee, patentee, or other holder of a use authorization, grant, or patent, is or has complied with the terms and conditions of the conveyance or granting document.

confirmation of a suspended entry: the issuance of a patent for a suspended entry where the entryman failed to comply with all requirements under the regulations, but where compliance was substantial enough to warrant the application of principles of equity in order to find the entryman qualified.

contest: proceedings against a filing, claim, or entry alleging that same does not meet the requirements of the public land laws. It may be initiated by the Government or by an adverse claimant.

contiguous lands and contiguous legal subdivisions: lands or legal subdivisions having a common boundary.

Coos Bay lands: public lands in western Oregon which were initially granted to that State to aid in the construction of the Coos Bay Military Wagon Road, but which were forfeited and returned to the Federal Government.

copying fees: fees charged for copying official records.

cornering: lands having a common survey corner but not a common boundary.

cost recovery: process for recovery of direct and indirect administrative costs to the United States for a right-of-way or permit incident to a right-of-way. This includes those expenses incurred in processing and monitoring such applications and permits.

Council on Environmental Quality (CEQ): an advisory council established by NEPA that reports to the President and which has general management responsibility for NEPA.

credit entry: a cash entry which permitted installment payments.
(Now repealed)

crop: includes any generally accepted agricultural product to which the land under consideration is generally adapted and which would return a fair reward for the expense of producing it.

cultivation: requires the operation, practice, or act of tillage or preparation of land for seed, and keeping the ground in a state favorable for the growth of crops.

cultural resource management: programs designed to protect, preserve, and/or scientifically study cultural resources and the natural resources that figured significantly in cultural systems. The objectives of such programs should be the conservation and protection of cultural values through management and the scientific study of these resources for the public good.

cultural resources: those fragile and nonrenewable remains of human activities, occupation, and endeavors as reflected in sites, buildings, structures, or objects, including works of art, architecture, and engineering. Cultural resources are commonly discussed in terms of prehistoric and historic values; however, each period represents a part of the full continuum of cultural values from the earliest to the most recent.

curative patent: an amended patent to correct a previously issued, defective patent.

D

damages: a pecuniary compensation or indemnity which may be recovered in the courts for loss or injury.

decision: a document signed by the adjudicator or appropriate official, setting forth conclusions of law and findings of fact relevant to an application, entry, or claim.

dependent resurvey: a retracement and reestablishment of the lines of the original survey in their true original locations according to the best available evidence of the position of the original corners.

Desert Land Entry: an entry of irrigable, arid, agricultural, public lands under the Act of March 3, 1877 (19 Stat. 377; 43 U.S.C. 321, et seq.), which entryman must reclaim, irrigate, and cultivate.

designation: the official identification and naming of a general area or site on public land. No lands may be designated until they are either (1) withdrawn, or (2) given special status by Act of Congress.

Director: The head of the Bureau of Land Management. He exercises the functions which were formerly assigned to both the Commissioner of the General Land Office and the Director of the Grazing Service.

discovery, mineral: the act of exposing to view a valuable mineral on a mining claim; also, the physical exposure of the mineral vein or lode or other mineral deposit on the ground.

District: the specific area of public lands administered by a District Manager.

District Office: a local Bureau office under the jurisdiction and direction of the State Office.

drift: the natural movement of livestock from one range area to another.

E

Enlarged Homestead Entry: a homestead entry (not exceeding 320 acres) under the Act of June 17, 1910 (36 Stat. 531; 43 U.S.C. 218), which provided for homesteading nonirrigable agricultural lands in the West (dryland farming). (Now repealed)

entry: an allowed application which permits the entryman to enter upon and commence the actions required to gain title to the land.

entryman: the individual or legal entity which made an entry.

estoppel: in law, the prevention of a person from making an affirmation or denial because it is contrary to an affirmation or denial that he has made previously.

evidence of title: a policy of title insurance; or a certificate of title issued by a title insurance company authorized by law to issue same; or an abstract of title prepared and authenticated by a licensed abstractor or abstract company or by the recorder of deeds or other proper officer of the State under his official seal.

environmental assessment (EA): a concise public document used by Federal agencies to determine whether, as a result of a proposal, to prepare an environmental impact statement (EIS) or a finding of no significant impact (FONSI). At the minimum, an EA briefly discusses the need for the proposal, alternatives, environmental impacts of the proposal and alternatives, and a listing of persons and agencies consulted.

environmental impact statement (EIS): a detailed report required by section 102(2)(C) of NEPA whenever a major Federal action would have significant impacts on the human environment.

exchange: a trading of public lands (surface and/or subsurface estates) that usually do not have high public value, for lands in other ownerships which do have value for public use, management and enjoyment. The exchange may be for the benefit of other Federal agencies as well as BLM.

Executive Order 11593: the Bureau must take into account effect of our action on cultural resources. Must identify archaeological and historic sites for National Register of Historic Places; and assure that any Federally owned property during the interim is not altered, transferred or demolished.

fair market rent: the rental value of a parcel of land derived by comparing rent of similar land for similar uses in a locality.

fair market value: the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would be sold by a knowledgeable owner willing but not obligated to sell to a knowledgeable purchaser who desires but is not obligated to buy.

family-sized farm: the unit of public lands determined to be chiefly valuable for agriculture and that is of sufficient size, based on land use capabilities, development requirements and economic capability, to provide a level of net income after payment of expenses and taxes, which will sustain a family-sized agricultural business operation above the poverty level for a rural farm family of four as determined by the U.S. Department of Labor.

farm unit: a parcel of land within a reclamation project which is estimated to be of suitable size for a family farm.

Federal Land Policy and Management Act (FLPMA), P.L. 94-579, Act of October 21, 1976: BLM's organic act which established public land policy and established guidelines for administration.

Federal Power Project Reservation: A reservation of public lands for use in a project developed under the jurisdiction of the Federal Power Commission.

fees and commissions: payments required by law in connection with an application or entry.

field examination: an examination conducted by Bureau (or Bureau-directed) personnel, made on the ground.

field notes: the official written record of a land survey, certified by the field surveyor, and approved by the proper authority, providing courses and distances of lines surveyed and descriptions of corner monuments.

filing: an application or other proper document, which has been submitted to the proper official or office. Or, an application pursuant to the Mineral Leasing Act.

final certificate: a document which evidences that patent should issue. It alone is sufficient to vest title in the would-be patentee.

final proof: a statement by the entryman and his witnesses, purporting to prove that the entryman has done all things necessary to perfect his entry.

final regulation: any regulation adopted by the Secretary and published in the Federal Register for inclusion in the Code of Federal Regulations.

Findings of No Significant Impact (FONSI): a Federal document that briefly presents reasons why an action will not have a significant environmental effect and for which an EIS will not be prepared.

fish and wildlife: generally, all species of nondomesticated animal life.

flood plain: land not normally covered by water but which lies in an area subject to inundation.

fractional township or section: a situation called "natural deficiency" caused by surveys creating fractional measurements due to presence of a large meandering body, impassable objects, a State or reservation or grant boundary, or similar reserves.

free use permit: a permit which allows the removal of timber or other resources from the public lands free of charge.

G

General Land Office: one of the predecessors of the Bureau of Land Management. It was charged with land disposal, recordkeeping, and cadastral survey.

general orders of withdrawals: Executive Orders No. 6910 of November 26, 1934, and No. 6964 of February 5, 1935, which withdrew for classification all vacant public lands in the 11 Western States plus certain other public land States.

Government contest: a proceeding initiated by the Government to determine the validity of a claim.

grant: a gift of public lands either in quantity or in place. Also, the document or the action which conveys land or an interest in land.

grantee: one to whom a grant is made. The recipient of the right-of-way, patent, deed, or other benefit.

grantor: the person who makes the grant.

grazing allotment: a specific area of within which grazing use is authorized. It generally encompasses public lands but may include parcels of private and state lands.

grazing district: a specific area of public land administered for grazing purposes under Section 3 of the Taylor Grazing Act. Public lands outside grazing district boundaries are administered under Section 15 of the act or other applicable authority.

grazing fee: the rate per animal-unit-month charged for livestock grazing upon or crossing the public lands.

H

headquarters entry: a cash entry of 5 acres or less of public lands in Alaska, which is used as a headquarters for a productive industry.

hearing, contest: formal proceedings for the taking of evidence from the parties to the contest and their witnesses.

highway: used in its general sense to include all routes of public surface travel.

holder: any State or local governmental entity, individual, partnership, corporation, association, or other business entity receiving or using a right-of-way under Title V of FLPMA.

homesite entry: a cash entry, in Alaska, of 5 acres or less, for a residence.

homestead entry: an entry initiated under any of the homestead laws, that leads to patent for entrymen who settle upon and improve agricultural lands.

I

improvements: includes any structures of a permanent nature placed upon land, which tend to increase its value.

indemnity limits: lands lying within a specified distance of the primary limits of a railroad grant or a wagon road grant, within which the grantee may make lieu selections to replace lands lost to the grantee in the primary limits.

indemnity selection: a selection made to compensate for lands that were lost. (Synonymous with lieu selection.)

independent resurvey: an establishment of new section lines for the public land which are independent and without reference to the corners of the original survey, while, at the same time, preserving the boundaries of the alienated lands.

Indian allotment: an allocation of public lands or Indian reservation land to an Indian for his individual use.

Indian fee patent: a patent which conveys fee title to qualified Indians to lands entered under an Indian allotment.

Indian reservation: a reservation for the use of native Indians.

Indian trust fund: an account in the Federal treasury to which money belonging to Indian tribes is credited.

Indian trust patent: a patent issued to an Indian to lands that cannot be alienated or sold for a period of years and where legal title remains in the United States.

industrial: referring to the manufacture, processing, and testing of goods and materials, including the production of power. It does not refer to the growing of agricultural crops, or the raising of livestock, or the extraction or severance of raw materials from the land being classified, but it does include activities incidental thereto.

internal improvement grant: a grant made to aid in the construction of roads, canals, railroads, or for other public improvements.

investigation: an analysis that usually does not include an on-the-ground inspection.

irrigation: the application of water to land for the purpose of growing crops.

isolated or disconnected tract: a tract of one or more contiguous legal subdivisions completely surrounded by lands held in non-Federal ownership or so effectively separated from other federally owned lands by some permanent withdrawal or reservations as to make its use with such lands impracticable. A tract is considered isolated if the contiguous lands are all patented, even though there are other public lands cornering upon the tract. For sale purposes under R.S. 2455, an isolated tract was a parcel of vacant public lands (not exceeding 1,520 acres) which was surrounded by appropriated public lands and/or private lands. (repealed by FLPMA)

Known Geothermal Resource Areas (K.G.R.A.): an area in which the geology, nearby discoveries, competitive interests, or other indicators would, in the opinion of the Secretary, engender a belief in men who are experienced in the subject matter that the prospects for extraction of geothermal steam or associated geothermal resources are good enough to warrant expenditures of money for that purpose.

Known Geologic Structure (K.G.S.): a geological trap in which an accumulation of a valuable mineral product has been discovered by drilling and determined to be productive, the limits of which include all acreage that is presumptively productive.

laches: delay attended by or inducing change of condition or relation; a failure to do something which should be done or to claim or enforce a right at a proper time.

land description (legal description): the method of locating or describing land in relation to the public land survey.

lease: an authorization (usually long-term) to possess and use public lands for a fixed period of time. (43 CFR 2910)

leaseable minerals: oil and gas, oil and shale, coal, potash, phosphate, sodium, sulphur in Louisiana and New Mexico, silica deposits in certain parts of Nevada, and certain minerals under special acts., e.i., the Acquired Lands Act.

leave of absence: the authorized absence of an entryman or settler from the public lands upon which he has established his residence under the public land laws.

legal title: title enforceable in a court of law, which is apparently complete and perfect and is generally associated with record ownership.

lieu selection or indemnity selection: a selection made to compensate for lands that were lost.

livestock: cattle, sheep, horses, burros, and goats.

location: a claim to public lands established by the surrender of scrip or by the initiation of a mining claim or a settlement claim.

lode claim: a mining claim embracing public lands which contain minerals occurring in a vein or lode.

lot: a subdivision of an irregular portion of a section which cannot be described by aliquot parts.

M

master title plat: the modern land title recordkeeping which shows land status by diagrams.

material site: the public lands from which sand and gravel may be taken (with the proper permit and authorization) for construction or maintenance of State or Federal-aid highways.

meander or meander lines: the traverse of the margin of a permanent natural body of water executed for the purpose of determining the quantity of land remaining after the segregation of the water area.

military bounty land warrant: scrip which was issued as a reward for military service.

military reservation: a withdrawal for the use of the Department of Defence for military purposes.

millsite entry: a cash entry of nonmineral public lands which are to be used as a millsites for the reduction of ore or in the development of a lode claim.

mineral: a substance that is recognized as a mineral, according to its chemical composition, by the standard authorities on the subject or is classified as a mineral product in trade or commerce, or possesses economic value for use in trade.

mineral application: an application to purchase public lands which are held as a mining claim or which are desired as a millsites.

mineral classification: the classification of lands as being valuable for a specific mineral or minerals; also the public lands so classified.

mineral in character: lands where the mineral is ordinarily in sufficient quantity to add to their richness and to justify expenditures for its extraction.

mineral lands: public lands which have been designated as containing valuable minerals; or are known to contain valuable minerals.

mineral lease: a lease which authorizes the development and production of leasable minerals from public lands.

Mineral Leasing Act: Act of February 25, 1920 (41 Stat. 437: 30 U.S.C. 181 et seq.) Authorized leasing of public lands for extraction of oil, gas, coal, phosphate, sodium and other minerals.

mineral monument: a monument which is established in connection with a mineral survey.

mineral permit: a permit which authorizes prospecting for certain leaseable minerals on public lands.

mineral reservation: a clause in the conveyance document which reserves minerals to the grantor.

mineral rights: the rights of one who owns the mineral estate (subsurface).

mineral survey: a survey of a mining claim. Performed either by cadastral survey or by an approved surveyor.

mineral withdrawal for classification: a withdrawal of public lands which are potentially valuable for leaseable minerals. This precludes the disposal of the lands except with a mineral reservation, or unless the lands are found to be not valuable for minerals.

minimum statutory price: the minimum price established by law, for which the lands may be sold.

mining claim: a possessory interest in land obtained by physically locating certain lands on the ground under the authority of the 1872 Mining Law, on which a discovery of valuable locatable minerals has been made. A mining claim can be located on any vacant unappropriated public lands.

mining location: a mining claim.

multiple use: the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of the resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish and natural scenic, scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative

values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.

N

National Environmental Policy Act of 1969 (NEPA): (Public Law 91-190, 83 Stat. 852.) An act signed into law January 1, 1970 that established a national policy for protecting environmental resources, required Federal agencies to assess the impacts of their proposed actions, and established the Council on Environmental Quality.

national forest homestead entry: a homestead entry initiated under the Act of June 11, 1906, (34 Stat. 233; 16 U.S.C. 506), which provided for homesteading within national forests of public lands classified as more valuable for agriculture than for forestry.

national forest lieu selection: a lieu selection which is based on the relinquishment (prior to March 3, 1905) of the rights to or the ownership of lands lying within the exterior boundaries of a national forest.

national memorial: a reservation embracing memorials of national interest which is administered by the National Park Service.

national monument: a reservation of lands embracing values of historic and/or scientific interest which is administered by the National Park Service.

National Register of Historic Places (National Register): a Federal Government listing of "...districts, sites, buildings, structures, and other objects significant in American history, architecture, archeology, and culture." The National Register is maintained by the National Park Service, U.S. Department of the Interior, and is published in its entirety in the Federal Register each year in February. Addenda are published on the first Tuesday of each month. Federal agencies are required to consult the National Register to identify any NR properties that may be impacted by a proposed action or undertaking (36 CFR 800.4).

national resource lands: a term used during the early 1970's to describe public lands.

Native village: any tribe, band, clan, ground, village, community or association in Alaska, as defined in Section 3(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601) (ANCSA).

natural area: an area set aside in an undisturbed state to preserve natural and environmental values.

natural history resources: features of the environment which represent natural phenomena dealing with the development of the earth's surface or the evolution of life and which have scientific values or evoke human interest.

naval reserve: a reservation for naval purposes.

non-Bureau energy initiative (N.B.E.I.): a lands and realty action resulting from an application to acquire or use BLM-managed lands for purposes related to the development or the distribution of energy resources.

nonprofit associations or corporations: any institution, organization, or association which has been established according to local law and is held by the Internal Revenue Service to be tax-exempt.

notice: the communication of a pending action; the notification of parties of actions about to be taken. This is a part of due process.

Notice of Realty Action (NORA): a published notice to the general public of a realty related action proposed by the BLM.

O

O. and C. Exchange: an exchange involving Oregon and California (O. and C.) lands.

occupancy: actual possession and use of land in something more than a slight or sporadic manner.

offered lands: the lands owned by the proponent and being offered in exchange.

off-road vehicle (ORV): any motorized vehicle designed for or capable of cross-country travel on or immediately over land, sand, snow, ice, marsh, swampland, or natural terrain, deriving motive power from any source other than muscle.

opening order: the order which opens the lands to the operation or partial operation of the public land laws. May be a part of the revocation order. It need not be a separate document.

original public domain: all the lands obtained by the Government by: cession from the Thirteen Original States (1789-1802); by the Louisiana Purchase (1803); by the cession from Spain (1819); by

the occupation of the Oregon Territory (1846); by the Mexican Cession (1848); by the purchase from Texas (1850); by the Gadsden Purchase (1853); and by the purchase of Alaska (1867). The State of Tennessee although within the area covered by the Thirteen Original States is not properly considered a part of the original public domain.

outdoor recreation: includes but is not limited to, hunting, fishing, trapping, photography, horseback riding, picnicking, hiking, camping, swimming, boating, rock and mineral collecting, sightseeing, mountain climbing, and skiing.

P

patent: as it relates to public land laws, a patent is the instrument (or deed) by which the Government conveys title to the public lands.

patent reservation: a clause in a patent or instrument of conveyance by which the grantor creates and reserves to himself, some right or interest in the estate granted, which had no previous existence, but is called into being by the patent. The reservation is always in favor of and for the benefit of the grantor, thus a right-of-way grant which exists at the time the patent is issued can never amount to a reservation unless the right-of-way is for the benefit of the United States. Otherwise, a valid existing right-of-way should be protected by issuing the patent, "subject to" the right-of-way.

permit: a short-term (generally under 3 years), revocable authorization to use public lands for specific purposes. Permits are issued under 43 CFR 2910.

person: generally refers to any person or legal entity capable of doing business or contracting such as a corporation.

Pierce Act: Act of June 23, 1938 (52 Stat. 1033; 43 U.S.C. 315m-1, 315m-4), authorizes the Secretary of the Interior to acquire leasehold interests in non-Federal lands if they are within grazing districts.

Pittman Act: Act of October 22, 1919; 41 Stat. 293; 43 U.S.C. 351. An act which provided for the acquisition of title to public domain in Nevada, through the discovery of underground water. (Repealed)

placer claim: a mining claim which contains minerals not occurring in a vein or lode.

plan of development: the general outline of how a definitely proposed or authorized project is to be implemented.

plan of management: a plan showing how lands are to be managed after development has progressed to the point where the project is in operation.

powersite classification: a classification which in reality is a segregation against the operation of the land laws made by the Federal Power Commission for lands having potential for or needed for power projects and associated transmission lines. Lands classified to benefit transmission lines are open to the operation of the public land laws subject to the use for transmission lines.

powersite reserve: a reservation of public lands which have potential value for water power development.

preference rights: the right of contiguous landowners to purchase lands placed for sale by meeting the highest bid price or by paying three times the appraised value. In the case of a small tract, the earliest applicant has a preference right of sale or lease under certain conditions. The right of an individual applicant or class of applicants to assert rights or claims to the public lands which rights are not available to the general public.

principle or major uses: a term used in FLPMA that includes and is limited to domestic livestock grazing, fish and wildlife development and utilization, mineral exploration and production, right-of-way, outdoor recreation, and timber production.

private exchange: an exchange between the Federal Government and any land-owner other than a State.

private land claim: a claim based on the assertion that the claimant (or his predecessors in interest) derived his right while the land was under the dominion of a foreign government.

producing lease (oil and gas): a lease to public lands which are within a known producing structure or upon which a discovery has been made.

proponent: any person or entity who submits a land use proposal, either on his own initiative or in response to a notice for submission of such proposals.

proposed regulations: any formal proposal (either proposed rulemaking or final regulation) made to the Secretary by BLM for addition to or amendment of Federal regulations affecting BLM programs.

proposed rulemaking: any proposed regulation published in the Federal Register for public review and comment.

prospecting lease (oil or gas): a lease authorizing the exploration, development, and production of oil or gas from public lands which are not known to contain such deposits.

protest: a statement of objection to a proposed classification, application, claim, etc.

protestants: those who raise objections but do not have sufficient standing to initiate a contest. Such an objection will be deemed a protest.

public domain: vacant, unappropriated, and unreserved public lands, or public lands withdrawn by E.O. 6910 of November 26, 1934, as amended, or E.O. 6964 of February 5, 1935, as amended, and not otherwise withdrawn or reserved, or public lands within grazing districts established under Section 1 of the Act of June 28, 1934 (45 Stat. 1269), as amended, and not otherwise withdrawn or reserved.

public lands: any land and interest in land owned by the United States within the several States and administered by the Secretary of the Interior through the Bureau of Land Management, without regard to how the United States acquired ownership, except -

1. lands located on the Outer Continental shelf; and
2. lands held for the benefit of Indians, Aleuts, and Eskimos.

public land laws: the body of laws which regulates the administration of the public lands and the resources thereon.

public land order (PLO): an order effecting, modifying, or revoking a withdrawal or reservation which has been issued by the Secretary pursuant to his delegations of authority.

public land States: the States which were created out of the original public domain: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

Public Rangelands Improvement Act (PRIA): Public Law 95-514, October 25, 1978. An act to improve the condition of the public rangelands.

public purpose: a use in which the public has an interest, affecting the safety, health, morale, and welfare of the general public, but does not include use for habitation, cultivation, trade or manufacturing.

public value: an asset held by, or a service performed for, or a benefit accruing to the people at large.

public water reserves: pursuant to and under the authority of Sec. 10 of the Act of December 29, 1916, and in aid of pending legislation, the President issued the Executive Order of April 17, 1926. This reserved for public use every vacant, unappropriated, and unreserved

smallest legal subdivision which contains a spring or waterhole. If the lands are unsurveyed, the reservation covers all lands within 1/4 mile of the spring or waterhole. (Repealed)

Q

quantity grant: a grant in which Congress specifies the number of acres or the general type of public lands which are to be granted. The grantee must then select from the qualifying, available public lands.

quarter section: one-fourth of a section; 160 acres.

quit-claim deed (Bureau of Land Management): the type of deed used to relinquish all claims of the United States in lands which were conveyed to the United States in connection with some transaction. A deed which does not allege ownership.

R

railroad claims (released): the lands to which a railroad claim might have attached, and which had not been patented or deeded to bona-fide purchasers prior to September 18, 1940. These lands, which might have passed to the railroads, were relinquished by the railroad pursuant to the Transportation Act of 1940.

railroad indemnity selection: a lieu selection allowed a railroad to compensate for lands lost to the railroad within the primary limits. The selections were normally limited to within the indemnity limits.

railroad lieu selection: a lieu selection, made by an applicant other than a railroad, for lands to replace those lost or relinquished within a railroad grant.

railroad townsite reservation: a reservation of public lands along a proposed or existing railroad line in Alaska which are potentially valuable as a townsite.

receiver (GLO): the official (during the days of the General Land Office (GLO)) in the Washington Office and the District Land Offices, who was authorized to accept cash payments for public lands.

reclamation fund: a Federal Treasury account to which BLM deposits certain monies to be used for financing reclamation projects.

reclamation homestead entry: a homestead entry (not exceeding 160 acres) under the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 431, et seq.), which provides for entry within reclamation projects.

reclamation project: a water development and irrigation project of the Bureau of Reclamation.

reclamation withdrawals:

first form: a reclamation withdrawal of public lands that are or may be needed in connection with the construction work and maintenance of a reclamation project.

second form: a reclamation withdrawal of public lands that are susceptible of irrigation from a reclamation project.

The distinction of first and second form withdrawals has recently been eliminated and now all such withdrawals are merely "reclamation withdrawals."

Recreation and Public Purposes Act (R&PP): The Act of June 14, 1926, as amended (43 U.S.C. 869, 869-4). Allows the disposal of public lands to any State, local, Federal, or political instrumentality or nonprofit organization for any recreational or public purpose, at the discretion of the authorized officer.

recreational lands: a tract of land usually several thousand acres in size where recreation is or is expected to be a major use.

recreation resources: natural and cultural resources which are used by individuals during leisure time and which provide a change of pace, a change of social environment, and other physical or mental satisfactions.

recreation sites: relatively small tracts of land which have value for concentrated and intensive recreation use that usually requires construction and maintenance of public facilities.

rectangular system of surveys: the cadastral system of surveys that was and is used to subdivide the public lands into townships, sections, and sectional subdivisions.

regional corporation: an Alaska Native regional corporation organized under the laws of the State of Alaska in accordance with the provisions of Section 7 of ANCSA.

registrar: an official in the District Office of the General Land Office.

regulation: an administrative statement, which after due notice, has the force and effect of law. Many acts passed by Congress are not sufficiently detailed to spell out totally the minute requirements of the law. Regulations which are promulgated pursuant to law are considered by the courts to have equal weight with the law they help to interpret and spell out.

rejection: the denial of an application because it is improperly filed, conflicts with the public land laws, or conflicts with public policy.

reliction: land that is uncovered by the gradual subsidence of water.

relinquishment: a forsaking, abandoning, renouncing, or giving over a right. When real property is involved, it must usually be in writing.

reservation: a withdrawal of a permanent nature, dedicated to a specific public purpose.

reservation lands: includes national parks and monuments, or any other reservations of the United States for the use of or administration by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside the Department of the Interior.

residential: single or multifamily dwellings or combinations thereof, and related community facilities, both seasonal and year-round.

restoration: normally associated with and contemporaneous with the revocation of withdrawals. This is the restoring of the lands to the status of unreserved public lands and it opens them to the operation of the public land laws plus the mining and mineral leasing laws.

reversionary clause or reverter: a provision in a patent for the lands to return to United States ownership for failure of development or upon the happening of a prescribed event.

revocation: the action which cancels a withdrawal. It need not necessarily "open" the lands to application/entry.

right-of-way: an easement, license, or permit; does not grant an estate of any kind, only the right of use. May also include a site.

riparian rights: the rights of the owners of lands on the banks of watercourses or small lakes, relating to the ownership of soil under the water, and to accretions and relictions.

roughly equivalent value: the concept and guidelines established in the U.S. Supreme Court decision in Andrus v. Utah 1980, that the base lands and the selected lands are to be roughly equivalent in value.

S

sanitary landfill: a method of disposing of solid waste by spreading the waste in thin layers, compacting to reduce volume, and covering with soil to prevent environmental pollution.

school land deficiency: the amount of land lost by the State, for which it is entitled to school land indemnity selections.

school land indemnity selection: the selection made by a State to take the place of school lands the State could not receive.

school land patent: a patent to give evidence of title to lands to the State. Title can automatically pass without issuance of a patent.

school section: a section granted to the State for the support of the common schools.

scoping: a process used by a federal agency to determine the range of issues and alternatives to be included in an environmental study.

scrip: a certificate which allowed the owner to acquire a certain number of acres from vacant, unappropriated public lands.

section: 640 acres, one mile square.

segregation: any action such as a withdrawal or allowed application (exchange), which suspends the operation of the general public land laws. To separate or set apart; to remove lands from the operation of part or all the public land mineral laws.

selected lands: the public domain lands sought by the proponent in an exchange.

Sioux Half-Breed scrip: scrip which was issued to Sioux Indians of mixed blood in Minnesota under the Treaty of July 15, 1830 (7 Stat. 328), and the Act of July 17, 1854 (10 Stat. 304).

small tract: public lands (5 acres or less) which have been found to be chiefly valuable for sale as a home, cabin, camp, or business site under the Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 782a). (Repealed)

smallest legal subdivision: a quarter-quarter section; 40 acres.

special land use permit (SLUP): a permit granted for purposes not authorized or forbidden by law. (Repealed)

special pricing program: a schedule of special prices established by the Secretary of the Interior, based upon the fair market value of the property, less public benefit allowance. Used frequently on applications under the Recreation and Public Purposes Act.

state exchange: an exchange of lands between the Federal Government and a State. See 206 of FLPMA.

State Historic Preservation Office (SHPO): Officials within each State authorized by the State at request of the Secretary of Interior, to act as liaison for implementing the National Historic Preservation Act of 1966.

status conflict: any matter with respect to the status of the land which would serve as a bar to approval of an application.

status (land): the information concerning a specific piece of land. The information would include such things as: ownership; claims or applications outstanding; known minerals (if any); withdrawals; or in general, any information that might affect how the land laws would operate with respect to the land.

stock driveway: a reservation provided for in Sec. 10 of the Act of December 19, 1916 (39 Stat. 865; 43 U.S.C. 300). Lands so withdrawn cannot thereafter be entered (but are open to mining location). (Repealed)

Stockraising Homestead Act: Western lands that were not suitable for cultivation but were suitable for stock grazing could be patented under the Act of December 29, 1916 (39 Stat. 863; 43 U.S.C. 291).

stockraising homestead entry: a homestead not exceeding 640 acres which unlike the general homestead laws provide for the homesteading of lands which were chiefly valuable for grazing and forage crops and not for agriculture. (Stockraising Homestead Act of December 29, 1916 (39 Stat. 863, 43 U.S.C. sec. 291).) This act was repealed by implication by the Taylor Grazing Act.

subpoena dices tecum: a court process that orders the production of a document or writing.

substantially continuous use and occupancy: contemplates the customary seasonality of use and occupancy by the applicant of any land used by him for his livelihood and well-being and that of his family. Such use and occupancy must be substantial actual possession and use of the land, at least potentially exclusive of others, and not merely intermittent use.

supplemental patent: a deed or patent conveying all coal reserved under the Act of March 3, 1909 (35 Stat. 844; 30 U.S.C. 81), or the Act of June 22, 1910 (36 Stat. 583; 30 U.S.C. 83-85), such land having been (subsequent to the original patent which reserved the coal) finally classified as noncoal in character. A patent for additional rights not included in the original patent.

supplemental plat: a plat which shows a revised subdivision of one or more sections without a change in the section boundaries or to the survey record.

survey applicant: the individual or legal entity requesting the execution of a cadastral survey.

survey monument: a physical object (iron post, stone, tree, etc.), which marks the location of a point which is established by cadastral survey.

survey plat: a plat representing the lines surveyed, established, retraced or resurveyed, showing the direction and length of each line; the relation to adjoining official surveys; the boundaries, descriptions, and area of each parcel of land; and the topography, culture, and improvements within the limits of the survey.

suspended application or entry: an application or entry upon which adverse action has been deferred for good cause shown.

sustained yield of the several products and services: the achievement and maintenance of a high-level annual or regular periodic output of the various renewable resources of land without impairment of the productivity of the land.

swamp-land grant: a grant of swamp or overflowed lands to the State to encourage reclamation of such lands.

T

Taylor Grazing Act: The Act of June 28, 1934 (48 Stat. 1269, 43 U.S.C. 315), as amended. Primary purpose of this act was to stop continuing injury to the public rangelands through overgrazing and other misuse.

Taylor Grazing Act exchange: an exchange under the provisions of the Taylor Grazing Act.

threatened or endangered species: any species of animal or plant officially listed pursuant to Section 4 of the Endangered Species Act of 1973 (P.L. 93-205).

timber and stone entry: a cash entry for lands which were valuable for timber or stone and which were unfit for cultivation.

timber production: the growth and harvest of trees in forests and woodlands.

township: the major subdivision of the public lands; ideally it should be 6 miles square and contain 36 sections.

townsite: an area of public land which is identified for disposal as an urban development. National Forest Townsite, see 213 FLPMA.

townsites:

preemption rights: a guaranteed right of purchase at the minimum price at any time before the sale, or not exceeding two lots, to an actual qualified resident.

preemption proof: that proof required to qualify for preemption rights.

tract books: the central Land Status records which originally depicted the status of the public domain. For the most part, replaced by MTP.

tramroads: includes tramways, and wagon or truck roads to be used in connection with logging, and the manufacturing of lumber, mining, and quarrying. It also includes railroads to be used principally for transportation, in connection with such activities.

Transportation Act of 1940: Act of September 18, 1940 (54 Stat. 954), that allowed the railroads to release any claim it may have remaining against unsatisfied grant lands in return for full commerical rates except for military or naval property and personnel transportation.

treasure or treasure trove: gold or silver in coin, plat, or bullion, and loose gem stones and other valuable property, including, but not limited to, vases, cups, ornaments, rings, jewelry, or other articles of art of historical value and interest, but whose primary value is usually considered to be monetary.

trespass: (See unauthorized use)

trustee deed: most often, a deed to a town lot in a townsite.

U

unadjusted railroad grant: a railroad grant that had not been completely adjudicated prior to passage of the Transportation Act of 1940.

unauthorized use: any occupancy or use of the public lands or resources of the United States without authority.

unperfected entry: an entry that requires further compliance with the public land laws.

unreserved public lands: those public lands not covered by a reservation or a withdrawal, except by the federal orders of withdrawal.

use authorization: approval of a proposed use for land or resources on the prescribed form or document designated for such use; a document showing permission to use land or the resources thereon; a formalized grant pursuant to a request to use land or resources.

vacant public lands: public lands which are unappropriated and unreserved and not within a withdrawal. Lands that are not reserved except by the general orders of withdrawal.

valid claim: a mineral or ore body of sufficient size and quantity to justify an ordinarily prudent man in the expenditure of his labor and means in an effort to develop a paying mine.

village corporation: a profit or nonprofit Alaska Native village corporation which is eligible under Section 2651.2 of Title 43 to select land and receive benefits under the act, and is organized under the laws of the State of Alaska in accordance with the provisions of Section 8 ANCSA.

visual resources: the composite of land, water, vegetation, animals, structures, and other visible features.

water right: the authority, whether by prior ownership, contract, purchase, or appropriation in accordance with State law, to use water for any beneficial use.

water supply: to be adequate, must be sufficient to irrigate successfully and to reclaim all of the irrigable land embraced in an entry.

watershed protection: maintenance of the stability of soil and soil cover and the control of the natural flow of water.

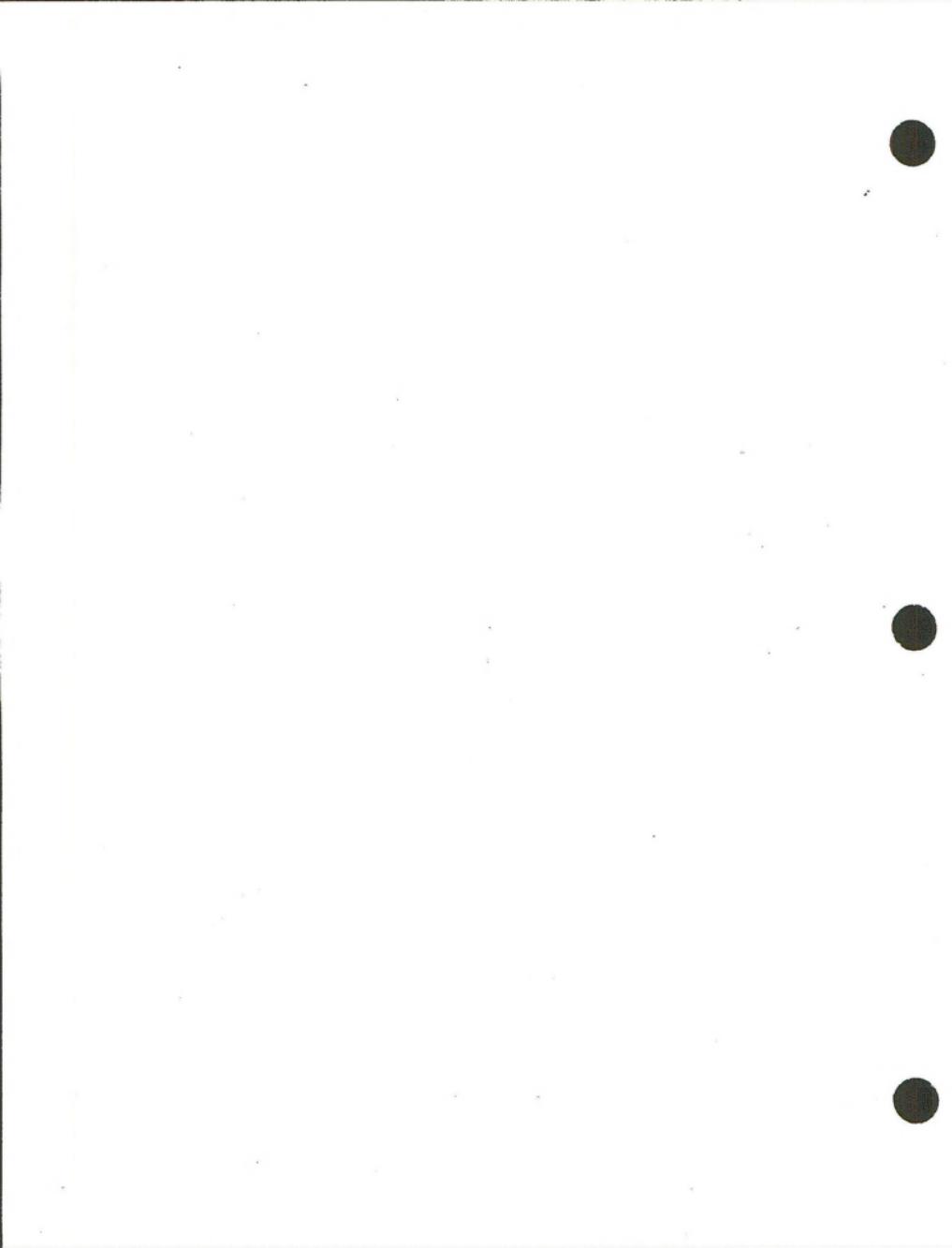
wilderness: areas in a native condition or reverted to a native condition, substantially free of manmade structures and human habitation.

wildlife refuge: a reservation for the protection of wildlife.

withdrawal in aid of legislation: a withdrawal which is made pending enactment of legislation relative to the same lands.

withdrawals: removal or withholding of public lands by statute or secretarial order, from operation of some or all of the public land laws ("surface" mining and/or mineral leasing).

zoning: the legal process used by local political subdivisions of competent jurisdiction to regulate land uses and setting structural and architectural designs for improvements thereon.



DEINITIONS AND REFERENCES

Ab initio

From the beginning; from the first act; from the inception. (As in null and void ab initio).

Access Road

A passage, path, or approach.

Accounting Advice

The form for the control and disposition of money. Also for input to ADP system. An accounting advice is completed when a case is closed or an application is issued.

Accretion (accreted land)

The gradual addition or accumulation of soil to the shoreline of a tract of land through natural causes to that already in the possession of the owner.

Acquired Lands

Lands in Federal ownership which are not public lands having been obtained by the Government by purchase, condemnation, or gift. (Prior to FLPMA)

Affirmed

Appeal Court agreed with lower court decision.

Appeal

The right of a person who has received a decision he feels is adverse or incorrect. Regulation Part 4, Subpart E, Form 1842-1.

Assignment

The transfer to another in writing of the whole or part of any lease or right therein.

Authorized Officer

Any employee of the Bureau of Land Management who has been delegated the authority to perform the duties in question.

Avulsion

The sudden and perceptible change in a shoreline due usually to a river changing its course during a flood. It is the general rule that avulsion effects no change in property lines.

Base Lands

In a lieu selection or exchange, the lands to which a State relinquishes their rights as a basis for their selection.

Bond

Monetary deposit to secure the obligations imposed on a holder, permittee or grantee by the terms of the grant or permit and applicable laws and regulations.

Cancellation

The revoking of a right because of noncompliance with laws or regulations or acknowledgements of a surrender or termination. Decisions are issued in these cases.

Casual Use

Activities that involve practices which do not ordinarily cause any appreciable disturbance or damage to the public lands, resources or improvements. (Does not require a use authorization from BLM).

Classification

The designation of public lands as being valuable or suitable for specific purposes, uses or resources. This is not a withdrawal.

(CFR)

Code of Federal Regulations.

Competitive Sale

Offering land to the highest sealed bidder, which maybe followed by oral auction.

Decision

In connection with adjudication, a formal written determination signed by the appropriate official, setting forth findings as to law and fact. Party to an adverse decision has the right of appeal. Form 1842-1 is enclosed. Adverse decisions are sent by certified mail. Adverse decisions should contain the following paragraph: Right of appeal to the Board of Land Appeals, 43 CFR Part 4, Subpart E. See enclosed form. If an appeal is taken, it must be filed with (issuing office and address) so that the case file can be transmitted to the Board. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations.

(DLE)

Desert Land Entry - Refers to an entry under the act of March 3, 1877 (19 Stat. 377; 43 U.C.S. 321-323) as amended.

Et al

"And others" or "and another" (as in United States v. Jim Anderson, et al.).

Et seq.

"And the following" (the reference to more than one following page) ("p. 20, et seq.).

Executive Order

Proclamations made by the Presidents of the United States insofar as they pertain to public lands, they affect the status either by classifications, withdrawal or restoration. Public Land Orders are now utilized to perform this same function.

(FMV)

Fair Market Value - Defined as the amount in cash, or on terms reasonably equivalent to cash, for which in all probability would be sold by a knowledgeable owner willing, but not obligated, to sell to a knowledgeable purchaser who desired, but is not obligated, to buy.

Hereafter

Indicative of future time.

Holder

Any applicant who has received a R/W grant or permit pursuant to Title V of the FLPMA or Section 28 of the Mineral Leasing Act.

Lease

Authorization to possess and use public lands for a fixed period of time under certain agreed conditions.

Legal Description

The official description of any particular parcel of land according to the official plat of cadastral survey.

Lieu Lands

Selected lands in a State selection application to take the place of lands in a grant which were appropriated prior to title vesting in the State.

Material Site

A permit which authorizes the free use of deposits of sand, gravel, etc., on public lands in connection with the construction or maintenance of State Federal Aid Highways; also, the public lands covered by such a permit.

Metes and Bounds

The boundary lines of unsurveyed land established by directions and distances from a point of beginning and thence from point until the area is completely circumscribed.

Modified Competitive Sale

Offering to designated bidders the right (preference right) to meet the highest bid.

Navigable Waters

All tidal waters up to the line of ordinary high tide and all nontidal waters such as streams and lakes that afford a channel for useful commerce up to the line of the mean high water mark.

Permit

Short-term revocable authorization to use public lands for specific purpose

Powersite Classification

Classification of public lands as having potential value for water power development; also the public lands as classified.

Power Project Reservation

A reservation of public lands for use in connection with power development projects under the jurisdiction of the Federal Power Commission.

Powersite Reserve

Lands withdrawn from the public domain and dedicated to the specific public purpose of water power development.

Precedent

A decision issued by a higher authority which must be followed in subsequent situations involving the same facts and laws and regulations. (Decisions should always cite such precedents).

Protest

Any objection by any person to any action proposed to be taken in any proceeding before the Bureau when the elements of a contest are not present. A decision is issued in such instances.

Protracted Surveys
The projection of a proposed survey.

Public Lands

Lands which have never left Federal ownership, also lands in Federal ownership which were obtained by the Government in exchange for public lands or for timber or such lands.

Public Land Order

An order effecting, modifying or cancelling a withdrawal or reservations.

Public Water Reserve

A reservation of public lands which contain a spring or water hole for the purpose of keeping the water available for public uses.

Reclamation Withdrawal

A withdrawal of public lands in connection with a reclamation project.
First form - A withdrawal of lands that are or may be needed in connection with the construction and maintenance of a reclamation project.
Second form - A withdrawal which embraces lands that are susceptible of irrigation from a reclamation project

(R&PP)

Recreation and Public Purposes - Lease or Patent pursuant to the authority of the Act of June 14, 1926, as amended (43 U.S.C. 869).

R.S. 2477

Refers to Public Sales under revised Statute 2455 (43 U.S.C., Sec. 1171) as amended. REPEALED BY FLPMA.

Restoration

A revocation of a withdrawal which also effects the opening of the public lands in the withdrawal. A PLO is issued.

Reversed

Appeal Court did not agree with lower decision.

(R/W)

Right-of-Way.

Said

Before mentioned. With the same force as "aforesaid".

Section 8 Exchange

Refers to either a Private or State Exchange under Section 8 of the Taylor Grazing Act. (Authority repealed by the FLPMA).

Section 28 R/W

R/W for oil and natural Gas pipelines and related facilities pursuant to the authority of Section 28 of the Mineral Leasing Act of 1920, amended (30 U.S.C. 125).

Set aside and Remanded

Appeal Court returned appeal to lower court for further consideration or reversed and vacated the decision.

Statute.

(Stat.) United States Statutes at large.

Title V R/W

R/W issued pursuant to the authority of Title V of FLPMA.

Title 23 R/W

R/W for Interstate and Defense Highways pursuant to Title 23, U.S.C., Sec. 107, paragraph (d) and Sec. 317.

To Wit

That is to say.

Trespass

Unauthorized occupancy or use of the public lands.

(U.S.C.)

United States Code.

(U.S.C.A.)

United States Code Annotated.

(UTA)

Unintentional Trespass Act - Act of September 26, 1968 (43 U.S.C. 1431-35; 82 Stat. 870). ACT EXPIRED.

203 Sale

Refers to a Land Sale under the authority of Section 203 of the FLPMA.

205 Exchange

Refers to an acquisition (where U.S. wants to acquire lands) of lands or interests by exchange under Section 205 of the FLPMA.

206 Exchange

Refers to an exchange; both disposal and acquisition; of lands or interests under Section 206 of FLPMA. (This is the basic general exchange authority for BLM under FLPMA).

510 or 510(b)(5) Exchange

Refers to exchanges of Federal Coal Leases where an existing Federal Coal Lease is located in an alluvial valley, west of the 100th Meridian, which will disrupt farming and cannot demonstrate that reclamation can be accomplished and cannot obtain approval of a regulatory agency on a Surface Coal Mining permit, and that substantial financial and legal commitments had been made on the lease prior to January 1, 1977, such lease may be exchanged for another Federal Coal Lease outside of the valley.

5100

Expenses for R/W processing; (cost recovery) refers to Component Job Code, 5100; Subactivities: 3026, 3126, 3033, 3133, 3039, 3139 normally involved in field activities.

ELM Library
B-503A, Building 50
Denver Federal Center
P. O. Box 25047
Denver, CO 80225-0047

ELM Library
B-503A, Building 50
Denver Federal Center
P. O. Box 25047
Denver, CO 80225-0047